

REMARKS

Applicants concurrently file herewith a Petition for Extension of Time, and corresponding extension of time fee, for a two-month extension of time.

Claims 1-19 are all of the claims presently pending in the application. Applicants have amended claim 1 to define the claimed invention more particularly. Applicants have added claims 17-19 to claim additional features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Applicants gratefully acknowledge the Examiner's indication that claims 3-6 and 8-16 are allowed. Applicants, however, respectfully submit that all of the claims 1-19 are allowable.

Claims 1, 2, and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Oie (U.S. Patent No. 6,188,431).

Applicants respectfully traverse this rejection in the following discussion.

I. THE CLAIMED INVENTION

The invention as recited in independent claim 1 for example, is directed to an image communication apparatus capable of communicating with a plurality of image communication apparatuses in a server-client system, including an image display device which displays a recorded image, a selection device which selects an image to be transmitted to another image communication apparatus from among images displayed on the image display device, and a

transmission device capable of transmitting to one or more of the plurality of image communication apparatuses the image selected by the selection device when a request to send the image is received from a respective one of the one or more of the plurality of image communication apparatuses, wherein when the plurality of images are transmitted to the plurality of image communication apparatuses of a receiving side, an image different in every image communication apparatus of the receiving side is transmittable to the plurality of image communication apparatuses in accordance with the request of the image communication apparatus of the receiving side (e.g., see Application at page 2, lines 7-14).

This structure is important because the image transmitting apparatus may transmit a selected image upon receipt of an image transmission request from another image communication apparatus so that the user of the other image communication apparatus can receive the image without requiring confirmation of the user's destination address (see Application at page 2, line 15-page 3, line 30).

In a conventional digital camera, as described in the Background of the present Application, a transmitter camera is required to determine if a receiver camera requested an image, set the destination address of the receiver camera and then perform a transmission operation (Application at page 1, lines 15-29).

In contrast, an exemplary aspect of the claimed invention may allow an image to transmit from a transmitting apparatus to a receiving apparatus without the transmitting apparatus determining if the receiving apparatus requested the image and setting the destination address (Application at page 11, lines 23-94).

None of the applied references discloses or suggests this invention.

II. THE PRIOR ART REFERENCE

The Examiner alleges that Oie teaches the claimed invention of claims 1, 2, and 7. Applicants submit, however, that Oie does not teach or suggest each feature of the claimed invention.

That is, Oie does not teach or suggest, "*wherein when the plurality of images are transmitted to the plurality of image communication apparatuses of a receiving side, an image different in every image communication apparatus of the receiving side is transmittable to the plurality of image communication apparatuses in accordance with the request of the image communication apparatus of the receiving side*", as recited in exemplary claim 1.

Applicants submit that exemplary embodiments of the claimed invention are directed to a pull-model type. Accordingly, the claimed invention may exhibit the feature when the plurality of images are transmitted to the plurality of image communication apparatuses of a receiving side, an image different in every image communication apparatus of the receiving side can be transmitted to the plurality of image communication apparatuses in accordance with the request of the image communication apparatus of the receiving side.

Applicants submit that the Oie does not teach or suggest this feature of the claimed invention.

Therefore, Applicants submit that there are elements of the claimed invention that are not taught or suggest by Oie. Therefore, Applicants respectfully request the Examiner to withdraw this rejection.

III. NEW CLAIMS

Applicants have added new claims 17-19 to claim additional features of the invention and to provide varied protection for the claimed invention. These claims are independently patentable because of the novel and nonobvious features recited therein.

Applicants submit that new claims 17-19 are patentable over the cited prior art references at least for analogous reasons to those set forth above with respect to claims 1-16.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-19, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Applicants respectfully request the Examiner to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, Applicants requests the Examiner to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/670,427 10
Docket No. FJ-2003-014-US

The undersigned authorizes the Commissioner to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: May 15, 2008

Respectfully Submitted,



Sean M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

**MCGINN INTELLECTUAL PROPERTY
LAW GROUP, PLLC**
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254